UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/659,335	09/11/2003	Ikuo Makita	1538.1040	3760

21171	7590	09/06/2006

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EXAMINER
LEMMA, SAMSON B

ART UNIT	PAPER NUMBER
2132	

DATE MAILED: 09/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
	10/659,335	MAKITA, IKUO
Office Action Summary	Examiner	Art Unit	
	Samson B. Lemma	2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _11 September 2003_.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-33_ is/are pending in the application.

 4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-33_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

 a)☐ All b)☐ Some * c)☐ None of:

 1.☐ Certified copies of the priority documents have been received.

 2.☐ Certified copies of the priority documents have been received in Application No. _____.

 3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

 * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _12/03 & 09/03_.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1.   **Claims 1-33** have been examined.

Priority

2.   Receipt is acknowledged of papers submitted under 35 U.S.C. 119 (a)-(d), which

papers have been placed of record in the file.

Claim Rejections - 35 USC § 101

3.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or
> composition of matter, or any new and useful improvement thereof, may obtain a patent
> therefor, subject to the conditions and requirements of this title.

4.   Independent **claims 14-22** are rejected under 35 U.S.C. 101 because the

subject matter is directed to non-statutory subject matter.

5.   **Claims 14-22** are directed **to a program/software/set of instructions**. The

examiner asserts that the limitation of the above claims raise a question as to whether

or not the, the limitation actually claims the program or not. The above claims would

have established a statuary category of the invention if the program recited in the above

claims were stored on an appropriate medium and perform the function recited on the

body of the claims when the program is read and executed by the computer/processor.

However the above claims are simply programs and thus do not clearly establish a

statuary category of the invention. Therefore the claim **is a program per se** and does

not fall within the statutory classes listed in 35 USC 101. The language of the claims

raises a question as to whether the claims are directed merely to an abstract idea that

is not tied to a technological art, environment or machine which would result in a

practical application producing a concrete, useful, and tangible result to form the basis

of statutory subject matter under 35 U.S.C. 101. See MPEP § 2106 IV. B. 1(a).

Claim Rejections - 35 USC § 102

6.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

> (b) the invention was patented or described in a printed publication in this or a
> foreign country or in public use or on sale in this country, more than one year prior to
> the date of application for patent in the United States.

7.   **Claims 1-33** are rejected under 35 U.S.C. 102(b) as being anticipated by

Hashimoto Hirobumi (hereinafter refereed as **Hirobumi**) (Japanese Publication

No. 2000-306026) (Publication Date 11/02/200) (Submitted with the Applicant's

IDS)

8.   **As per claims 1, 5,11-12, 14, 18, 24 and 28-33 Hirobumi discloses an**

information processing method in a center system, comprising: receiving a first

digital signature for specific data and data concerning a first user to be allowed to

read said specific data, from a terminal of a second user; [Abstract] (Concerning an

electronic document template, in a server, an access control parameter for controlling the read

and update of input items on the document and records in a job database is separated to a

server definition parameter and a user definition parameter (1101). The hash values of the

respective parameters are found, enciphered signatures are added (1103), and the template is

transmitted corresponding to the request of a client) is separated to a server definition

parameter and a user definition parameter (1101)) **comparing the received first**

digital signature with a second digital signature, which is registered in a data

storage unit so as to correspond to said specific data; and if it is judged that said

first signature and said second signature are identical, performing a processing for

enabling said first user to read said specific data. [Abstract] (When the parameter is

updated (1202) at the client side, processing similar to 1103 is performed (1203), data are inputted

(1204), processing similar to 1103 is performed to the data (1205), the hash value of the parameter

is found, falsification of the parameter is confirmed on the basis of the result compounding this

hash value and the signature (1206), and the template is transmitted to the server (1207). In the

server, the falsification is confirmed similarly to the server, processing is performed to the

template and the result is returned to the client.)

9.   **As per claims 2, 15 and 25** **Hirobumi discloses an information processing**

method as applied to claims above. Furthermore Hirobumi discloses the

method,wherein said performing comprises transmitting hash data, which is

registered in said data storage unit so as to correspond to said specific data, to a

terminal of said first user. [Abstract] (The hash values of the respective parameters are

found, enciphered signatures are added (1103), and the template is transmitted corresponding to

the request of a client)

10.   **As per claims 3,6-10, 13,16,19-23 and 26-27** **Hirobumi discloses an**

information processing method as applied to claims above. Furthermore Hirobumi

discloses the method, further comprising: if it is judged that said first signature

and said second signature are not identical, generating second hash data from

said first digital signature; comparing the generated second hash data with hash

data, which is registered in said data storage unit so as to correspond to said

specific data; and executing a processing for enabling said first user to read said

specific data. [Abstract] ((Concerning an electronic document template, in a server, an access

control parameter for controlling the read and update of input items on the document and

records in a job database is separated to a server definition parameter and a user definition

parameter (1101). The hash values of the respective parameters are found, enciphered signatures

are added (1103), and the template is transmitted corresponding to the request of a client) is

separated to a server definition parameter and a user definition parameter (1101) and

When the parameter is updated (1202) at the client side, processing similar to 1103 is performed

(1203), data are inputted (1204), processing similar to 1103 is performed to the data (1205), the

hash value of the parameter is found, falsification of the parameter is confirmed on the basis of

the result compounding this hash value and the signature (1206), and the template is transmitted

to the server (1207). In the server, the falsification is confirmed similarly to the server, processing

is performed to the template and the result is returned to the client.)

11.   As per claims 4,17 Hirobumi discloses an information processing method

as applied to claims above. Furthermore Hirobumi discloses the method,wherein

said executing comprises transmitting hash data, which is registered in said data

storage unit so as to correspond to said specific data, to a terminal of said first

user. [See Abstract] (The hash values of the respective parameters are found, enciphered

signatures are added (1103), and the template is transmitted)

Conclusion

12.   The prior art made of record and not relied upon is considered

pertinent to applicant's disclosure.(See PTO-Form 892).

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Samson B Lemma whose telephone number is 571-272-

3806. The examiner can normally be reached on Monday-Friday (8:00 am---4: 30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, BARRON JR GILBERTO can be reached on 571-272-3799. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free).

SAMSON LEMMA
S.L.
08/28/2006

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